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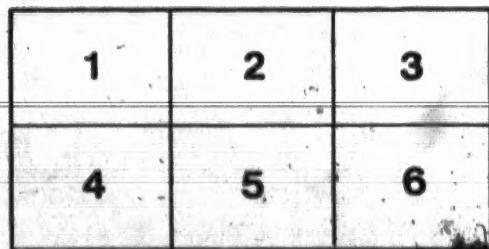
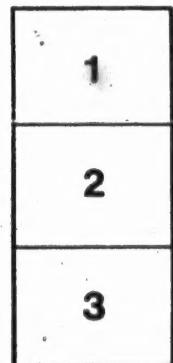
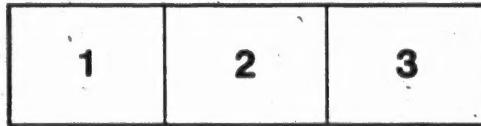
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THE
SUBSTANCE
OF
GENERAL BURGOYNE'S
SPEECHES.

PRICE ONE SHILLING.

Speedily will be Published,

A Genuine Copy of the PROCEEDINGS of the COURT MARTIAL, held upon Colonel HENLEY of the American Troops, at Cambridge, in the Month of February, 1770, upon the Prosecution of General PURGOYNE, for Ill-treatment of the British Troops.

Printed for J. Almon, opposite Burlington-House in Piccadilly.

THE
S U B S T A N C E
O F
G E N E R A L B U R G O Y N E ' S
S P E E C H E S,
O N
M R. V Y N E R ' S M O T I O N,

On the 26th of May;

AND UPON
M R. H A R T L E Y ' S M O T I O N,

On the 28th of May, 1778.

W I T H A N
A P P E N D I X,
C O N T A I N I N G,

General Washington's Letter
T O
General Burgoyne,
&c.

L O N D O N:

P R I N T E D F O R J. ALMON, O P P O S I T E B U R L I N G T O N - H O U S E,
P I C C A D I L L Y. M D C C L X X V I I I ,

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S P E E C H
O F
GENERAL BURGOYNE,

MOTION by Mr. VYNER,

Martis 26° die Maii, 1778.

“ THAT this house will now resolve it-
“ self into a committee of the whole
“ house to consider of the state and condition
“ of the army which surrendered themselves
“ on convention at Saratoga, in America;
“ and also by what means Lieutenant Gene-
“ ral Burgoyne, who commanded that army,
“ and was included in that convention, was
“ released, and is now returned to England ?”

Mr. Vyner, in opening the motion, stated some questions to General Burgoyne, which he proposed to ask in the committee.

The motion was seconded by Mr. Wilkes, who also stated further questions in respect to

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the treaty with the Indians, their conduct during the campaign, and the burning the country.

An amendment was proposed by Mr. Fox to insert, after the word *consider*, these words "of the transactions of the northern army under Lieutenant General Burgoyne, and of"

The motion thus amended, would have run as follows: "That this house will now resolve itself into a committee of the whole house to consider of the transactions of the northern army under Lieutenant General Burgoyne, and of the state and condition of the said army, &c."

In the course of the debate General Bur-gopne spoke nearly as follows:

Mr. Speaker, not imagining there would be any motion by the honourable gentleman who spoke first; but that merely a desire of information would be expressed upon certain subjects, I had myself prepared a motion for an address to the king, to have such papers laid before the house, as are now in possession of the secretary of state, and contain an account in detail, much too long for me to give in my place, of every circumstance expressed in the questions of the honourable gentleman. Those

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papers are of the utmost importance to the state, to parliament, and to the public.

The turn the business has taken precludes me at present from my intended motion; but I rise to give my warmest support to the amendment proposed; and as reasons for the expediency of instituting a full enquiry, to which the amendment points, I shall endeavour, as far as I can do it without breach of order in debate, to give to *both the gentle-
*Mr. Vyner
and Mr.
Wilkes.
men satisfaction upon the particular subjects of their enquiries.

I agree with the honourable gentleman who seconded the motion, that all the conduct respecting the Indian nations is a matter that ought to be thoroughly canvassed; and I look upon his calling upon me openly, and in my place, as some reparation for the very free, and not very generous comments he made upon my conduct in my absence.

Sir, I ever esteemed the Indian alliances, at best, a necessary evil. I ever believed their services to be over-valued; sometimes insignificant, often barbarous, always capricious; and that the employment of them was only justifiable, when by being united to a regular army, they could be kept under controul, and made subservient to a general system.

Upon this principle I heartily concurred with that gallant and humane general, Sir Guy Carleton, in the year 1776, to decline the offers and solicitations of the Indians to be then employed separately: the impossibility of compleating the preparations for passing the regular troops over the lakes made it impossible to employ them conjunctively.

In that year, Sir, it was my lot, by delegation from Sir Guy Carleton, who was then at Quebec, to preside at one of the greatest councils with the Indians that had been held at Montreal. Many gentlemen here know, that the ceremony preceding the taking up the hatchet, is, to offer to the representative of the power they mean to serve, the pipe of war. It was pressed upon me by the chiefs present; and it was in my power, by a single whif of tobacco, to have given flame and explosion to a dozen nations. I never felt greater satisfaction than in being able to fulfil the instructions I was charged with, for restraining the impetuous passions of these people: it was a secondary satisfaction, at my return to England in the winter, to justify the conduct of Sir Guy Carleton in this respect, though the justification was very unpopular, among those—I mean not to particularize ministers,

ministers, or ministers of ministers—but among those men, who, in their zeal against the colonists, had adopted the reasoning, that “partial severity was general mercy,” provided by carrying terrors it conduced to finishing the war. How just so ever this principle may be, my mind is not of a texture for carrying it into effect; and I returned to Canada the following spring, when I succeeded to the command, determined to be the soldier, not the executioner of the state.

I found care had been already taken by General Carleton, upon the same principles of humanity which always direct his conduct, to officer the Indians with gentlemen selected from the British troops, upon a distinction of their temper and judgment, as well as upon that of their valour; and in much greater number than ever was destined to that service before. To these precautions I added that of a favourite priest, who had more controul over the passions of the Indians than all their chiefs put together; and I trust the expence put upon government to engage that gentleman’s assistance through the course of the campaign, will not be esteemed an improper article in my accounts.

Sir,

Sir, with these assistances I was able to enforce obedience to the injunctions of my speech at the great council, upon assembling the army, which has been made public. Barbarity was prevented—So much so, that in one instance, two wounded provincial officers were brought off in the midst of fire upon the backs of Indians; and a captain, and his whole detachment, placed in ambuscade, were brought prisoners to my camp by Indians, without a man hurt, though it was evident they were placed for the special purpose of destroying me upon a reconnoitring party, and I was at that time very popular with the Indians.

I could produce many more instances to shew, that every possible exertion of humanity was used; and that the case of Miss Mecree excepted, which was accident, not premeditated cruelty, the stories upon which the honourable gentleman founded his accusation of me, were merely those fabricated by committees, and propagated in news-papers, for temporary purposes. The proclamation, which the honourable gentleman, in my absence treated with so harsh terms, I avow, was penned by myself. The design was to excite obedience, first by encouragement, and next by the dread, not the commission of severity

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—“ to speak daggers, but use none.” And so far were the Americans, in their hearts, from putting upon that proclamation the interpretation that gentleman has done, that it served to procure me respect and acknowledgement wherever I afterwards travelled through the country.

Sir, a gentleman has been in London great part of the winter, who I wish had been called to your bar.—It is for the sake of truth only I wish it; for he is certainly not my friend. His name is St. Luc le Corne, a distinguished partisan of the French in the last war, and now in the British service as a leader of the Indians.—He owes us indeed some service, having been formerly instrumental in scalping many hundred British soldiers upon the very ground where, though with a different sort of attitude, he was this year employed. He is by nature, education, and practice, artful, ambitious, and a courtier. To the grudge he owed me for controlling him in the use of the hatchet and scalping knife, it was natural to his character to recommend himself to ministerial favour, by any censure in his power to cast upon an unfashionable general. He was often closeted by a noble Lord in my eye*, * Lord G.
Germaine.
and, with all these disadvantages, as he has not

not been examined here, I wish the noble lord to inform the house, what this man has presumed to say of my conduct with the Indians. I know, in private companies, his language has been, that the Indians might have done great services, but they were discharged. Sir, if to restrain them from murder was to discharge them, I take with pride the blame---They were discharged. That circumstance apart, I should say that the Indians, and Mr. St. Luc at the head of them, deserted.

[*Sir, in regard to the call made upon me by the same honourable gentleman, for explanation respecting the burning of the country during the progress of the army under my command, I am ignorant of any such circumstance; I do not recollect more than one accident by fire; I positively assert there was no fire by order or countenance of myself, or any other officer, except at Saratoga. That district is the property of Major General Scuyler of the American troops; there were large barracks built by him, which took fire the day after the army arrived upon the

* This part of the speech included between crotchetts, was omitted at the time of the preceding and following parts, and delivered separately upon a second call of Mr. Wilkes; but now is inserted in its proper place, as better connecting the whole matter spoke to by General Burgoyne.

ground

ground in their retreat; and I believe I need not state any other proof of that matter being merely accident, than that the barracks were then made use of as my hospital, and full of sick and wounded soldiers. General Scuyler had likewise a very good dwelling-house, exceeding large storehouses, great saw-mills, and other out-buildings, to the value altogether perhaps of ten thousand pounds; a few days before the negotiation with General Gates, the enemy had formed a plan to attack me; a large column of troops were approaching to pass the small river, preparatory to a general action, and were entirely covered from the fire of my artillery by those buildings. Sir, I avow that I gave the order to set them on fire; and in a very short time that whole property, I have described, was consumed. But, to shew that the person most deeply concerned in that calamity, did not put the construction upon it, which it has pleased the honourable gentleman to do, I must inform the house, that one of the first persons I saw, after the convention was signed, was General Scuyler. I expressed to him my regret at the event which had happened, and the reasons which had occasioned it. He desired me to think no more of it;

said that the occasion justified it, according to the principles and rules of war, and he should have done the same upon the same occasion, or words to that effect. He did more---He sent an aid-de-camp to conduct me to Albany, in order, as he expressed, to procure me better quarters than a stranger might be able to find. This gentleman conducted me to a very elegant house, and to my great surprise, presented me to Mrs. Scuyler and her family; and in this general's house I remained during my whole stay at Albany, with a table of more than twenty covers for me and my friends, and every other possible demonstration of hospitality: a situation, painful it is true in point of sensibility at the time, but which I now contemplate with some satisfaction, as carrying undeniable testimony how little I deserved the charges of the honourable gentleman; and I leave it to his feelings, whether, after this explanation, some farther apology is not due to me.]

In regard to the first and most material question asked me by the honourable gentleman who proposed the motion, viz. In what situation is the army at Cambridge? It is with some surprize I find that any part of this country is ignorant of the extraordinary circumstances

cumstances that have attended it, as I conceive government must have received intelligence of them some time ago. In regard to the report made by myself, I acquit the king's ministers of any blame in not yet having made it public, because it was so voluminous that the papers could not be digested and copied, with the constant labour of three clerks, before last Saturday, when they were put into the hands of the noble lord secretary of state for the American department. But I trust that noble lord will now lose no time to make public, matters of such importance. Let them undergo the scrutiny of the committee as proposed by the amended motion, and let the world judge, upon their report, whether the spirit of the troops and the honour of the nation have been sustained and vindicated during those transactions. In confidence that these papers cannot possibly be withheld, I refer the honourable gentleman to them for a full delineation and explanation of the state of things at Cambridge, and will rest my present information upon a few material facts. The troops have undergone hardships and trials of patience as severe, though of a different nature, as any they experienced in the conflicts of the campaign. They have acquitted themselves with

with equal resolution, temper, and honour. They are at present detained by a resolve of the congress, expressing that there are causes of suspicion that the convention was designed to be broke on our part, and therefore they are justifiable, without breach of public faith, to suspend the embarkation of the troops till the convention is ratified by the court of Great Britain.

In common with various pretences which involved other names in high departments to justify this measure, the congress grounded many suppositions that I knew to be unjust, upon my conduct. I thought it a duty to the state, to the army, and to myself, to refute those suppositions, and still, if possible, to give immediate effect to the convention. It will rest upon the house to judge, when they see the papers, whether I made good that refutation. And that brings me to another question asked by the honourable gentleman: "By what means and upon what condition I am in person here?" Sir, I charged my aid de camp, who carried my dispatch to the congress in answer to their vote of suspension, which the president had officially sent me, with a second letter to be delivered in case the suspension, after consideration had of my first letter, was continued:

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The purport of this letter was to ask passports for my personal return for the re-establishment of my health, (which was then much affected) for the purpose of settling large and complicated accounts, and other reasons; and I offered to give a parole that should the suspension of embarkation be prolonged beyond the time apprehended, I would return to America upon demand of the congress, and due notice given, re-deliver my person into their hands, and abide the fate of the rest of the army with whom I had served. Sir, I had many reasons, not necessary nor proper to be alleged to the congress, founded upon a nearer interest than health or any private expediency, to make me desirous to return home: to lay before government important truths, not to be communicated by other means, and to supply, as far as in me lay, by an assiduous and honest exertion in this house, the misfortune that had disengaged me from performing my duty in the field. I accompanied my letter to the congress by one to General Washington, wherein upon an opinion of his character, I asked him for his support to an application that could not interfere with the public duties of our respective situations. I shall beg leave to read his answer as part of my speech; and I do it, Sir, not only lest in these

these times of doubt and aspersion, I should incur censure for holding private correspondence with an enemy, but likewise because I think this letter, though from an enemy, does honour to the human heart.

[See the Appendix.]

Sir, the congress readily consented to my application; and by this candid treatment of my enemies, I am here to vindicate my conduct against the false and barbarous interpretations that have arisen and have been suffered to prevail, by those who could have contradicted them, at home.

The honourable gentleman wishes to know what is the difference of numbers of the army between the time of signing the convention, and the present time; and I find the idea of great desertion very much prevails. That some men have deserted, in the worst sense of the word, is true. They are few, the scum of the regiments, and no loss of real strength. The greater part who have absconded, have had no intention to abandon the service, and if an epithet of honour could at any time be applied to a fault, theirs might be called an honourable desertion.* Some of

* General Burgoyne took occasion in two subsequent debates to explain his meaning in this phrase, which he found had been

these men left letters or sent messages to their officers, informing them that in their present want of necessaries and comforts, and their inability to serve in arms, they had taken to trades and day labour in the country, but that they held themselves under an obligation from which they would never depart, to return to their regiments whenever the time of embarkation was ascertained; others, upon a high, though a mistaken suggestion of spirit, made efforts to effectuate a passage through the woods, to join the armies under Sir William Howe or Sir Henry Clinton, and it is believed that some of them succeeded. The whole of the absentees may amount to between five and six hundred men.

Sir, I have thus far endeavoured to give the honourable gentlemen satisfaction in the matters that seem most immediately to engage their attention, and that I could consistently

been misunderstood both within and without the house. He meant to apply the word *honourable* only to the common soldier's conception, who unused to consider and discriminate punctiliously the obligations of conventions with an enemy, acted only upon the principles of zeal to serve his king, and again to be actively employed in arms; that therefore their conduct was honourably intended, though misconceived. That so far from justifying that conception himself, he was persuaded that to retain such deserters when demanded, or indeed discovered, would be an infringement of the convention, and he was persuaded Sir William Howe or Sir Henry Clinton would, upon such demand or discovery, return them,

with

with order adduce in argument to support my vote for a more general enquiry.

I shall now proceed, (as yet stronger reasons for agreeing with the amendment,) to take notice of what has hitherto passed in the house, and upon very imperfect information, respecting other parts of the late campaign.

But, Sir, accustomed as I have been to be indulged by the house upon every occasion; and confident, as I ought to be, upon one where their indulgence is justice, I find cause in my own mind, in entering upon so complicated a subject, to implore anew, the fullest scope to their patience and candour, for a man, whose faculties, far too weak for such shocks, are almost unhinged by a succession of difficulties abroad; that fall to the lot of few, and whose disappointments and anxieties have been consummated, by the unanticipated reception he has met at home.

And this address, Sir, is the more necessary, because I stand here unconnected and unassisted. I am ignorant who would have supported my own motion, had I made it, though confident from a prepossession of its propriety it would have found assistance somewhere. Neither courting nor fearing power, neither courting nor fearing party, I stand here upon the sole basis

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basis of truth and honour, and only ask support in proportion to the justice of my cause.

During my absence an enquiry was instituted, in which my name was very much involved. In the short space of time since my return, and in the agitated state of mind I have mentioned, it has been impossible for me to obtain from the mere conversation and recollection of friends, all that passed upon that occasion: but I have collected enough to know that I have been treated with great attention in general, and it is among my first duties to return to every quarter of the house my very sincere and grateful acknowledgments. I also know, that with all that attention and favour, much implied censure must have fallen upon me, from the nature of the proceedings, and more especially from the position, which I cannot admit to be a true one, but which I understand has been much insisted upon, "That where there is miscarriage there must be blame; and consequently, that the acquittal of one man infers the condemnation of another."

Sir, the papers which have been laid before the House are in some respects deficient and in others superfluous. The first superfluity to which I allude is a private letter from me to

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the noble Lord, acquainting him with my intention of going to Bath; of my audience with the King; of my solicitation to his Majesty for active employment the next campaign; expressing my hopes of his Lordship's patronage in that pursuit, and concluding with such acknowledgments and professions as were natural to flow from a warm and unsuspecting heart impressed with a sense of another's favour.

Not conceiving for what possible public purpose this letter was produced, I can only attend to the effects it has had to prejudice me personally. Suspicions have been excited, that at the time I wrote that letter I was courting command, and by adulatory means, in preference and in prejudice to Sir Guy Carleton, under whom I had had the honour to serve, a confidential second, the preceding campaign. Every person in government might have pronounced my acquittal of so base a proceeding, because they knew, though the public did not, that it was decided * in the Autumn of 1776,

* This decision was made, not only upon the expediency of the governor attending the civil duties of the province, which were thought at that time to require particular attention, but also upon doubt whether the general's commission authorised him to act beyond the boundaries: and this whole transaction passed long before the return of General Burgoyne to England, and entirely without his knowledge.

and notified to Sir Guy Carleton accordingly, that his military command was confined to the boundaries of the province of Quebec. It did not occur to the noble Lord to state that fact, because doubtless he did not foresee the prejudices the letter would occasion; but I cannot but lament he did not produce other letters of mine, which would have removed effectually every possible suspicion of a design so foreign to my heart as that of supplanting a gallant friend. Such letters would at the same time have rendered unnecessary the long train of correspondence laid upon your table, to shew that the preparations in Canada were duly expedited; because I should have been found to express the fullest sense of the zeal, the assiduity, and the honour with which Sir Guy Carleton acted, notwithstanding his disappointment in not being employed to conduct the campaign.

Will it be said, that the letters I allude to were withheld because they were private?—In the first place they do not properly come under that description, though it is true they were not office letters.—They could not be directed as such, because acting in subordination to Sir Guy Carleton, the official correspondence could only with decorum pass through

through him; but they were not private as applied to secrecy, nor improper as they related to the distinct and separate object of the command I was entering upon. But, Sir, had any parts of these letters (or of any others necessary to my justification, of which I say there are many) been private in any sense of the word, will that excuse be alleged for detaining them, when there has appeared before you a paper of the most secret nature, I mean my thoughts upon conducting the war from the side of Canada. What officer will venture hereafter to give his opinion upon measures or men, when called upon by a minister, if his confidence, his reasonings, and his preferences are thus to be invidiously exposed; to create jealousies and differences among his fellow-officers, and at last to put an imposition upon the world, and make him responsible for the plan as well as the execution of a hazardous campaign? The plan, as originally drawn, I have no reason to be ashamed of, because it underwent the inspection, and had the sanction of some of the first and ablest officers of this country; but the plan, as it stood when my orders were framed, can with no more propriety be called mine, than any others formed by the cabinet for the distant parts of America,

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or any other quarter of the globe where I had no participation or concern.—The noble Lord well knows, that the idea expressed in the secret paper laid before you of a latitude to act against New-England, was erased; that a power to embark the troops in case of unforeseen impediments, and make the junction with the southern army by sea, was not admitted.—Will it then be insinuated, that the plan was mine?—Why was it not produced in that changed and garbled state, by which the minister made it his own? Because it would have been one proof, if one had been wanting to unprejudiced minds, that by cutting off every proposed latitude, and confining the plan to one only object, the *forcing* a passage to Albany, the orders framed upon that plan could be no otherwise understood, than as positive, peremptory, and indispenable. But, Sir, it has been boldly insinuated, and perhaps even credited by some in this house, that the words at the latter end of the orders, which are called the saving clause, were specially dictated by me.—Sir, to suppose that, is to suppose me an ideot!---Saving clause---to whom? Surely, not to the General who was to act under it;---for see the situation in which it puts him,---Under the words “you are to act as “*exigencies*

" exigencies may require," let us suppose him to take the cautious part. He makes no attempt upon the enemy, because his *exigency* was such, that in doing so he must abandon his communications and risk his retreat. What would the government, the army, and the country have said to him? What ought every man to have said to him who read the prior part of this order? "Is this vigorous exertion? Is this *to sorte* your way to Albany. The enemy were panic struck before British troops; there numbers therefore were but as shadows. The loyalists awaited your advance to join by thousands—Sir H. Clinton was ready to move upon the lower part of Hudson's river—Your interpretation of orders was nonsense; your inactivity was cowardice—You have ignominiously lost the campaign."

Take the consideration the other way—The general follows the principle, the spirit, and the letter of his order—fights his ground by inches, and miscarries. " You shall be disgraced for your rashness," says the minister—" You had a reserve and should have made use of it. *Exigencies* required that you should have remained on the east side the Hudson's river." Sir, to imagine a general

general could dictate such a dilemma for himself is preposterous. To believe that ministers could mean it, is severe credulity against them; it would be to believe them capable of the equivocation of a fiend, to injure the ruin of those who acted under their direction whatever part they should take. I charge them not so heavily. I am persuaded that saving clause was meant when it was penned, as it has been understood by me, by Sir William Howe, and by every other person who has read it, as referring solely to exigencies after the arrival of my army at Albany.

But, Sir, this ideal blame in not availing myself of the *saving clause*, has been supported by a story, that I should hardly have believed it within malevolence to invent, but which I find has been propagated with great industry, viz. that Generals Philips and Frazer remonstrated against the passage of the Hudson's River; and that finding their remonstrances of no avail, they took the parts of brave men in despair, and persevered in their duty against their reason. Upon the honor of a gentleman, without any saving or reservation soever, I pronounce that report to be a direct and abominable falsehood. Sir, those officers were the eyes and the hands by which I conducted

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ducted all material operations: more able advisers, or more faithful friends, never existed: that they saw I was placed in an arduous situation, and felt for my difficulties, it is true; but that they ever dropt a syllable that implied an idea that I had an alternative, I flatly deny. The indefatigable alacrity of General Philips to bring forward the transports preparatory to the passage of the river, was uncommon even in support of a favourite object; it would have been uncommon indeed, had he acted with secret reluctance! As to General Frazer, our communications were those of the most unreserved friendship; and it is my pride to affirm, that the consonancy of his sentiments with mine were almost invariable. Upon the passage of the Hudson's River, in particular, he thought it of uncontrovertible expediency; he thought it glorious danger; he was consulted upon all measures at the time and subsequent to it; he bore an active part in many; he approved of all; and the last sentence he uttered, was a message of affection and good wishes to me.

The other falsehoods that have been dispersed respecting the same period of time, can hardly be urged as reasons for enquiry, for they are below refutation; such as the delays occasioned

occasioned by carrying forward *all* the artillery, and a cumbersome train of baggage—"It was a merit of Eastern pomp," says a ministerial news-writer. That *all* the artillery was with the army is false, for the heavy train was sent back to Canada: the field-train which remained was that which had been destined for the expedition, when Sir Guy Carleton expected to have the conduct of it in person. That intelligent and judicious officer, General Philips, had been consulted upon the proportion; and it had been regulated upon the consideration of the nature of the war; the power of that arm in forcing posts, and against new troops; and the probability of having posts ourselves to fortify. Neither, Sir, was the artillery, in the proportion carried, cause of the least delay; because the horses that drew it were supernumerary to those which were sufficient for all the carts and waggons we had; and consequently within the time indispensably given for the transport of the provision, the artillery was brought forward by horses that could have been no otherways employed.

The supposed quantity of baggage is equally erroneous. I cannot suffer an idea so unjust, to the spirit of the army, to remain upon the

E minds

minds of the public. All baggage of bulk, to the abridgment of many material comforts, had been chearfully left behind by the officers; some of them had not beds; many lay in soldier's tents; and I know of none that had more then the common necessaries for active service.

It must be total want of knowledge of the country and the war, to suppose that, with all these precautions, the train of carriages did not still remain great. It is to be considered, there was a train of six hundred carriages; and those too few for the indispensable purpose of transporting provision, where there was no water carriage; there was another train of very cumbersome carriages, equally necessary for the transport of the boats, where the rapids prevented their passage in the stream; a transport, in some places, of many miles in length. Sir, it would be trifling with the house to dwell longer upon these censures, the offspring of malice and ignorance; the prevalence of such reports tends to one use--It will persuade the world, at least, that material faults could not abound, when detraction itself is reduced to have recourse to such accusation.

Sir, reverting therefore to the more gross injuries my reputation has sustained, I think I

have stated enough to shew, that the character of a member has been unavoidably brought into question, and upon his assertion that the information the House has proceeded upon, is incomplete and fallacious, I know not what description of men could justly refuse to him personally a new and full enquiry.

I would ask of ministers themselves, what would be their feelings, if, after an unsuccessful undertaking of high trust and importance, and debarred, by an interdiction, from the presence of their Sovereign, the means of submitting their conduct to that royal breast, where justice, and benevolence, and protection to the innocent are ever to be expected, except when truth is perverted or concealed—what would be their feelings if refused also an appeal to their country? To my brother-officers in parliament I would more particularly apply for support to this amendment, as a common cause of the profession: they will consider the discouragement that must ensue, and the injury the service must suffer, if an officer, who is conscious to have done his best, whose greatest enemies pretend not to impute to him any other charges than excess of zeal and erroneous judgment, and even these charges founded upon a mutilated state of facts—

What is the state of officers, if upon such grounds, and by the artful management of other circumstances, they are disgraced at court, put by, if not inevitably precluded the judgment of a military tribunal, and at last denied the only possible means of justification that remains—a parliamentary investigation of a measure of state with which the rectitude or criminality of their conduct is inseparably blended? To my honourable friends who made the original motion early in the winter, and all who took part in it, I may yet more strenuously address myself, to repair, by the passing this question and amendment, the injury that unintentionally they brought upon me by the then confined mode of proceeding. To all these considerations, Sir, I could join, were it expedient, many more persuasive calls upon the human heart, to take up this proceeding for the sake of an injured individual; but I waive an appeal to private sentiments, and desire the motion to be considered as a call upon the public duty of the house; and, divesting myself, as far as possible, of every personal motive; scorning the pitiful contention, for such comparatively it would be, whether the minister should exonerate himself from this error in his instruction, or the general

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from *that* in his execution; I here in my place as a representative of the nation, require and demand a full and impartial enquiry into the causes of the miscarriage of the northern army in an expedition from Canada.

It is a great national object. The crisis of the time emphatically requires it. The existence of the British empire depends upon the exertions of the military, and the best foundation for public spirit, is public justice. In addition to the natural animation which as Britons the army posses, place before their eyes that secondary spring and controller of human actions, reward and punishment. Let the first and most glorious reward, the honest applause of the country be obtained by a scrutiny into truth for those who deserve it: on the contrary, if there has been delinquency, let the spirit of Manlius preside in the punishment.

“ The hand of fate is over us, and heaven
“ Exacts severity from all our thoughts.”

If there has been disobedience; if unauthorised by circumstances, if *uncompelled by orders* (for I will never shrink from that plea) a general has rashly advanced upon the enemy, and engaged against insurmountable odds, the discipline of the state should strike, though it were a favourite son.

I, *Lictor*

"I, Lictor, deliga ad palum."

These, Sir, are the means to excite true ambition in your leaders, these are the means to keep them in due restraint; this was the system of the glorious patriot,* whose obsequies you now celebrate, and could his ashes awaken, they would burst their cearments to support it.

Lord
Chatham.

As for myself, if I am guilty, I fear I am deeply guilty: an army lost! the sanguine expectation of the kingdom disappointed! a foreign war caused, or the commencement of it accelerated! an effusion of as brave blood as ever run in British veins shed, and the severest family distresses combined with public calamity.—If this mass of miseries be indeed the consequence of my misconduct, vain will be the extenuation I can plead of my personal sufferings, fatigue and hardship, laborious days and sleepless nights, ill health and trying situations; poor and insufficient will be such atonement in the judgment of my country, or perhaps in the eyes of God—yet with this dreadful alternative in view, I provoke a trial—Give me inquiry—I put the interests that hang most emphatically by the heart-strings of man—my fortune—my honour—my head—I had almost said my salvation, upon the test.

But, Sir, it is consolation to me to think
that

that I shall be, even in surmise, the only culprit—Whatever fate may attend the general who led the army to Saratoga, their behaviour at that memorable spot must entitle them to the thanks of their country—Sir, it was a calamitous, it was an awful, but it was an honourable hour—During the suspense of the answer from the general of the enemy, to the refusal made by me of complying with the ignominious conditions he had proposed, the countenance of the troops beggars description—a patient fortitude; a sort of stern resignation, that no pencil or language can reach, sat on every brow. I am confident every breast was prepared to devote its last drop of blood rather than suffer a precedent to stand upon the British annals of an ignoble surrender.

Sir, an important subject of enquiry, as I mentioned at my out-set, still remains—the transactions at Cambridge, and the cause of the detention of the troops. If I there have been guilty, let me there also be the only sufferer.

Sir, there is a famous story in antient history, that bears some analogy to my circumstances; and when allusions tend to excite men's minds to exertions of virtue or policy, I shall never think them pedantic or misplaced.

ced.* The event I mean happened in an age when Roman virtue was at its height. It was that wherein Manlius devoted his son, and the first Decius devoted himself. A Roman army, shut up by the Samnites at Candium, were obliged to surrender their arms, and to submit to the more ignominious condition of passing under the yoke of the enemy. The consul who had commanded them, proposed in the senate, to break the treaty whereby the army was lost to the state, and to make him in person the expiation, by sending him bound to the enemy to suffer death at their hands. In one point of view the present case extremely differs from the example, because by the treaty at Saratoga the army was saved to the state. It is the non-compliance with public faith that alone can lose it—and here the parallel will hold; if I have been instrumental to the loss of those brave troops since the treaty, I am as culpable as if I had lost them by the treaty, and ought to be the sacrifice to redeem them. Sir, this reference may appear vain-glorious. It may be doubted whether there exists in these times public

* It had been mentioned in a former debate, that references to ancient history carried sometimes an air of pedantry, and were seldom of use.

spirit seriously to emulate such examples, I perhaps should find myself unequal; but others, who are most ready to judge me so, must at least give credit to one motive for stating the parallel—that I am too conscious of innocence to apprehend there is the least risk of being exposed to the trial.

Sir, I have only to return my sincerest thanks to the house for the patience with which they have endured so long a trespass upon their time, and to join my hearty concurrence with the other gentlemen who have spoken in favour of the amendment.

F. J. Jevins

spirit

Jovis, 28^o. die Maii, 1778.

MR. Hartley moved, "That an humble address be presented to his majesty to entreat his majesty, that he will be graciously pleased not to prorogue the parliament; but that he will suffer them to continue sitting, for the purpose of affixing and forwarding the measures already taken for the restoration of peace in America; and that they may be in readiness, in the present critical situation and prospect of public affairs, to provide for every important event at the earliest notice."

Sir George Savile seconded the motion. No person offering to answer, the Speaker was proceeding to put the question. General Burgoyne applied to the treasury-bench, to know whether the king's servants meant to agree to the motion? In which case he said he should give the house no trouble: that otherwise he thought himself pledged to deliver his sentiments. The call was, "Go on;" and General Burgoyne proceeded in substance as follows:

Mr.

Mr. Speaker, I shall not pursue the argument of the honourable gentleman, upon the expediency of parliament being ready sitting to deliberate upon the first intelligence that may arrive from your commissioners; that argument has already been too ably enforced to require a second: neither, Sir, after so long an indulgence as I received in a former debate, shall I again press upon the attention of the house the debt they owe to national justice and policy, upon the subject of enquiry: though the Generals Howe and Carleton may be expected every day; and it was upon their absence alone, that the greater part of the house seemed disposed to postpone so important and necessary a duty. But, Sir, I shall rest solely upon a view of the present state of this country, as universally compulsive upon the understanding, in favour of the measure proposed. While an enemy is prepared upon the neighbouring coast, and perhaps is at this hour embarking, diffidence, despondency, and consternation, are evident among great part of the people. A more fatal symptom prevails among a greater part; a torpid indifference to our impending fate. Men dare not, or will not, look into their desperate circumstances. God grant that general panic be not

the result of all these demonstrations! for panic is incident, upon some occasions, to those who have been most distinguished for bravery upon others.

The salvation of the country depends upon the confidence of the people in some part of government. The ministry have it not; the whole nation see, or think they see, their insufficiency. I mean not to apply these words grossly or virulently; there are among them many to whose personal qualities and talents I bear respect, and to none more than the noble lord in the blue ribband. But talents are relative to times; and it is no reproach to say, that men well qualified for negotiation, finance, or the smooth current of government, may be totally unfit for their stations, when the crisis requires instant resource, decisive counsel, animating action. That these are notoriously wanting, the best friends of the ministers shake their heads and confess. Is there a man of common sense and common spirit in the country, that does not stand confounded and aghast at the late supineness; that does not think the heralds ought to have accompanied your coach, Sir, when you carried up the address of the commons; and that the declaration of war at St. James's gate should have accom-

panied

panied the answer from the throne? "Be patient," we are told; "France may repent; Spain yet speaks us fair,—Sir, to be patient in our situation is to be abject: our pusillanimity gives tenfold encrease to our natural weakness. Patience in private life, under affliction or disease, the strokes of fortune, or the hand of heaven, is a virtue of lovely hue; but political enduring—tamely to suffer provocation and injury,—the most wanton insult that ever was offered to a nation,—I mean the message of the French ambassador:

————— Turn thy complexion there,
Patience, thou young and rose-lipp'd cherubin,
And there look grim as hell. —————

It will be difficult to those who are most conversant in history, and accurate in observation, to point out examples, where, after an alarm, the spirits of men have revived by inaction. This nation is put into the state of a garrison, whose out-posts are abandoned, whose fallies are stopt, and who are to combat in the body of the place for their last stake. I do not say, that men have not fought desperately in such situations; but then they have been brought to extremity, by a progression of conflicts, and have seen great examples to raise and stimulate

stimulate their public passions. I know of no great exertions, where the governing counsels have shewn apprehension and terror, and consequent confusion at the outset. The success of vigorous measures to restore an army after a panic, is almost invariable; ancient history abounds with examples; in our own time, they are frequent. When General Romanzoff found the Russians impressed with apprehensions of the Turkish cavalry, his first measure was to lay aside the use of chevaux de frize, and to encamp without entrenchments. The revival of the general spirit of a state depends upon the same principles. We need not look abroad for examples; we have a more striking one at home than foreign annals can produce, in that immortal year, 1756, the commencement of the Earl of Chatham's administration. The most glorious tribute we can pay to his memory, is to follow his example. Let ministers visit his remains, while yet above ground, and catch wisdom, and vigour, and virtue from the views. Did he keep fleets at Spithead to prevent invasion? Did he fear to trust the internal defence of the nation to her own sons? No, Sir, your navy was employed in offensive operation in every quarter of the globe; and the nation, supported by

a just

a just confidence, were ten times stronger after the dismissal of the Hanoverians and Hessians than before. Every ship became a fleet; every regiment felt itself an host.

We have now a brave admiral riding at Spithead, who knows the way to prevent invasion by seeking the enemy at a distance. His share of glory in the defeat of Conflans is on the minds of his followers; you cannot gratify him or them more than to give them a second occasion, and by the same means, to save their country. The brother of that admiral, a member of this house,^{*} bred also in the best schools of his profession, is second in command on shore, and second to one who needs no other praise than that he was the favourite, + and the friend, and the confidential <sup>General
Xappel.</sup> executor of the arduous plans of the great statesman I alluded to.—Let these men be assisted with national spirit, and England is not to be subdued, while a river or a hill remains; without such spirit, another battle of Hastings may make another conquest.

Sir, I repeat that the best hope of generating and diffusing this genuine strength of the mind, to which arms and treasure are but inadequate substitutes, depends upon the presence of parliament, "to provide (according to the words

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words of the motion) for every important event at the earliest notice;—To strengthen the crown, not by adulatory addresses, but by such occasional sanctions, as would give fresh and extra-energy to its power, pending the emergency that might require it: To support public credit, in union with the city of London, not only by common engagements of faith, but by acts of quick and encouraging efficacy towards individuals, who might nobly risk their all in the cause: but above all, in full numbers and by general continuance, to exhibit themselves to the world a true representative of a determined people attacked in their vitals;—to prove that they are not to be seduced from their duty by the allurements of pleasure or personal interest, but have fortitude to await the approach of the enemy, as the Gauls were awaited by the senators in Rome; and, if need were, to receive death in these seats, to give example and fire to their surviving countrymen. Sir, a parliament, thus inspired, (the occasions I believe in my conscience, would give the inspiration) would spread immediate and extensive veneration and influence.—Faction in this great city, if faction there is, would be no more;—majorities and minorities here would show

be lost in unanimity for the public safety;—the King's name, thus supported, would be in truth a tower of strength; and the daring attempts of the enemy would only tend to the present glory and future stability of the state.

Sir, these are my sincere sentiments; and for this free delivery of them, I doubt not that I shall read in the morning papers of to-morrow that I have thrown myself into the arms of opposition. I am conscious I never did so true a service to the king and to the country as I do in the part I now take; and whatever may be the idle comments of the day, I trust that with the respectable part of the public, if the term *opposition* is to imply blame, it will be applicable only to the rejection of this motion. If the king's ministers take the lead, and exercise their persuasion for that purpose, I hold them to be opposers of national spirit, opposers of public virtue, opposers of the most efficacious means to save their country. Sir, I scorn to take up this language upon so pitiful a motive as personal resentment. Government, whoever are the ministers to conduct it, shall have my voice when my conscience directs it. That I think myself a persecuted man, I avow;

that I am a marked victim to bear the sins that do not belong to me, I apprehend; but this is not the first time I have stood the frowns of power for parliamentary conduct; and whatever further vengeance may be in store for me, I hope I shall endure it as becomes me. I am aware that in far better times officers have been stript of their pretensions for resisting the possessors of that bench.—They cannot take from me an humble competence; they cannot deprive me of a qualification to sit here; they cannot strip me, I trust they cannot, of the confidence of my constituents to seat me here; they cannot strip me—I am sure they cannot—of principle and spirit to do my duty here.

I never was more excited by these motives, and I never can be more, than upon the present occasion to give my vote in support of the motion.

APPEN,

A P P E N D I X.

*Copy of a Letter from General Washington
to Lieutenant General Burgoyne.*

*Head-Quarters, Pennsylvania,
March 11th, 1778.*

SIR,

I Was, only two days since, honoured with your very obliging letter of the 11th of February.

Your indulgent opinion of my character, and the polite terms in which you are pleased to express it, are peculiarly flattering; and I take pleasure in the opportunity you have afforded me of assuring you, that, far from suffering the views of national opposition to be imbibed and debased by personal animosity, I am ever ready to do justice to the merit of the gentleman and the soldier; and to esteem, where esteem is due, however the idea of a public enemy may interpose. You will not think it the language of unmeaning ceremony, if I add, that sentiments of personal respect, in the present instance, are reciprocal.

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APPENDIX.

Viewing you in the light of an officer contending against what I conceive to be the rights of my country, the reverse of fortune you experienced in the field cannot be unacceptable to me; but, abstracted from considerations of national advantage, I can sincerely sympathize with your feelings, as a soldier, the unavoidable difficulties of whose situation forbid his success; and as a man, whose lot combines the calamity of ill health, the anxieties of captivity, and the painful sensibility for a reputation, exposed, where he most values it, to the assaults of malice and detraction.

As your aid de camp went directly on to Congress, the business of your letter to me had been decided before it came to hand. I am happy that their cheerful acquiescence with your request, prevented the necessity of my intervention. And, wishing you a safe and agreeable passage, with a perfect restoration of your health,

I have the honour to be,
Very respectfully,

Sir,

Your most obedient servant,
GEO. WASHINGTON.

NOTE.

APPENDIX.

NOTE, respecting the First Debate.

SINCE the substance of the speech has been prepared for the press, it has been observed, in a daily paper, that General Burgoyne stated, that it had been a race between the Congress and him, to engage the Indian nations. It is a mistake, that General Burgoyne made any mention of himself being any ways concerned in any negotiations with the Indians, prior to giving directions for their junction with the army upon Lake Champlain; excepting in the council of the autumn to 1776, in which they were dismissed for that year.

It is true, General Burgoyne did state, in his speech, that there had been a race between the emissaries of the Congress, and the conductors of India affairs on the part of the British government; to engage not only the contiguous, but also the remote nations. This fact might have been proved by Mr. St. Luc le Corne, had he thought proper, as well as by many others.

This part of the Indian subject accidentally escaped the press, by its being omitted in the notes from which the speech was collected.

NOTE,

APPENDIX.

NOTE, respecting the Second Debate.

MR. Wedderburne took occasion, after a short argument against the expediency of the motion, to propound *doubts* relative to General Burgoyne's capacity to vote in parliament; and he argued them, at length, with visible preparation, and much learning. He referred, very particularly, to the story of Regulus; and, to make the cases parallel, stated the General as a common prisoner of war (the convention of Saratoga being broke); that, consequently, he was not *sui juris*, but the present property of another power. He insisted, with still less expression of doubt, that the General, under his present obligations, was incapacitated from exercising any office, or bearing arms in this country.

General Burgoyne, in reply, stated the mistake upon which Mr. Wedderburne's argument was in great measure founded, viz. that the convention was *broke*, and that the General was under the usual restrictions of a prisoner of war. The convention was declared by the congress not intended to be *broke*, on their part; though the execution of it was suspended. The General therefore insisted, that he was under no other obligation, than

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that specified in the convention, "Not to serve in America;" and that of his parole, "To return at the demand of the congress, and due notice given": that in this country he was free to exercise his rights as a citizen and a soldier; that should the enemy land, though his present disfavour might preclude him from the command which his rank, and some experience, might entitle him to, he trusted the king would not refuse his request, to take a musket in defence of his country. He proceeded to argue, that even upon the supposition that Mr. Wedderburne's position had been true in its full extent, and that he had been, *directly*, a prisoner of war under parole, he should not have been incapacitated from acting in parliament; and in answer to the precedents brought from remote ages, he produced one of a present member (Lord Frederick Cavendish) who, when a prisoner to France, after the action at St. Cas, and upon his parole in England, sat and voted in parliament. That noble lord, upon quitting France, had asked, whether any restraint in that respect was meant? as he should certainly vote for every measure that could distress the enemy—He was told, that they should as soon think of restraining him from getting a child,

A P P E N D I X.

child, left, when it came to maturity, it should do them mischief.

The General proceeded to observe, that the cases, in point of explanation, were precisely the same; for that before he left the army, it had been intimated to him, that there were persons, *in Boston*, who *doubted* whether he should not be restrained by parole from taking any part in parliament, at least, when America was concerned; that he came to an explanation with those entrusted with the sentiments and powers of the congress; and declared, that if such restraint was intended, he would remain and die in that country, rather than return home—The idea was abolished; nay, more, it was expressed, that the friends of the congress conceived rather advantage than injury from the General's presence in parliament; that they wished for peace upon proper terms; that they were persuaded, the General, as a man of humanity, wished the same; that they believed he had honour to speak truth; and that truth would conduce to that desirable end.

After this explanation, Mr. Wedderburne acknowledged no doubts remained upon the General's rights; and the house were unanimous in the same opinion.

F I N I S.